

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael SCHIRNER et al.

Confirmation No.: 6769

Serial No.: 10/088,866

Examiner: HUFF, Sheela Jitendra

Filed: July 2, 2002

Group Art Unit: 1642

Title: ANTIBODY-DYE CONJUGATES FOR BINDING TO TARGET
STRUCTURES OF ANGIOGENESIS IN ORDER TO INTRAOPERATIVELY
DEPICT TUMOR PERIPHERIES

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed October 18, 2006, please consider the remarks and the attached data in a declaration in view of the concurrently filed RCE.

REMARKS

The First Claim Rejection Under 35 U.S.C. §§ 112, first paragraph

The Office Action alleges that the rejection of claim 16 was not responded to in the last reply. Thus, the rejection was maintained.

Applicants bring the attention of the Examiner to the first two paragraphs of the remarks in the last reply, which clearly address the issues raised in the rejection of claim 16, and render moot this rejection.

For the Examiner's convenience, said two paragraphs are reproduced below:

In the last reply applicants indicated that a reference showing that L19 and E1 are both known and available is attached. Due to a filing error said reference was actually not filed. Applicants apologize for this and attach said reference to this reply.